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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Grace Kelly, individually,

Plaintiff,

vs.

Penn Entertainment, Inc., a Pennsylvania Corporation; LVGV, LLC, a Nevada Limited Liability Company dba M Resort Spa Casino; The Burks Companies, Inc., a Georgia Corporation; Does I-V; Roe Corporations VI-X; inclusive,

Defendants.

Case No.: 2:24-cv-319-CDS-DJA

**Stipulation and Order to Extend
Discovery (Third Request)**

1. **Summary of Discovery Completed:** The Court approved a prior scheduling order on August 23, 2024 (ECF No. 22) following the parties' second stipulation to continue expert deadlines. All parties have made their Rule 26 disclosures of witnesses and documents. The parties have also exchanged written discovery. The parties have also completed motion work regarding completing a Rule 35 examination.


2. **Discovery Remaining:** Pursuing outstanding medical records, deposing witnesses, scheduling a Rule 35 examination, retaining and disclosing experts, and then potentially deposing those experts.

3. **Why the Remaining Discovery Could Not Be Completed:** As with the last stipulation, there is an ongoing dispute about a Rule 35 neuropsychological examination. Defendant LVGV filed a motion on August 26, 2024 (ECF No. 21). This matter was briefed and came up for a hearing

on October 29, 2024. The Magistrate Judge denied LVGV's motion and LVGV has filed an objection (ECF No. 27). As was discussed during the October 29 hearing, the parties request a 90 day extension so that the District Court Judge can rule on this matter and allow the parties time to schedule the examination.

4. **Discovery Plan:**

	Current Schedule	Proposed Schedule
Amending the Pleadings and Adding Parties	No Change	No Change
Initial Expert Disclosures	December 9, 2024	March 7, 2025
Rebuttal Expert Disclosures	January 8, 2025	April 4, 2025
Discovery Closes	February 7, 2025	May 8, 2025
Dispositive Motions	March 7, 2025	June 6, 2025
Pre-Trial Order, if no Dispositive Motions	April 4, 2025	July 3, 2025

 <p><i>/s/ Jonathan C. Pattillo, Esq.</i> Michael P. Lowry, Esq. Nevada Bar No. 10666 Jonathan Pattillo, Esq. Nevada Bar No. 13929 Attorneys for LVGV, LLC</p>	<p>BENSON ALLRED</p> <p><i>/s/ Joshua Benson, Esq.</i> Joshua L. Benson, Esq. Nevada Bar No. 10514 Attorneys for Plaintiff</p>
<p>HALL & EVANS LLC</p> <p><i>/s/ Todd B. Tuggle, Esq.</i> Adam R. Knecht, Esq. Nevada Bar No. 13166 Todd B. Tuggle, Esq. Nevada Bar No. 6151 Attorneys for The Burks Companies, Inc.</p>	

Grace Kelly v. Penn Entertainment, et al.
Case No. 2:24-cv-319
Stipulation and Order to Extend Discovery (Third Request)

ORDER

IT IS SO ORDERED that the parties' stipulation to extend discovery (ECF No. 28) is GRANTED.


UNITED STATES MAGISTRATE JUDGE

DATED: 11/19/24